



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

March 28, 2014

Trent Rhorer, Executive Director
City & County Department of
Human Services Agency
P.O. Box 7988
San Francisco, CA 94120-7988

Dear Mr. Rhorer:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office, Ms. Cabrera, during the course of the Civil Rights Compliance Review of February 24-28, 2014. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Ms. Cabrera at (916) 654-1047. You may also contact her by e-mail at claudia.cabrera@dss.ca.gov.

Sincerely,

Original signed by Civil Rights Bureau Chief

JIM TASHIMA, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Luenna Kim, Civil Rights Coordinator
David Tu, Personnel Analyst, Employee/Labor Relations

bcc: Mike Papin, Chief
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
San Francisco County Human Services Agency**

**Conducted on
February 24-28, 2014**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
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**Reviewer:
Claudia Cabrera**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the San Francisco County Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted the week of February 24-28, 2014. An exit interview was held to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs Reviewed	Non-English languages spoken by a substantial number of clients (5% or more)
San Francisco County Human Services Agency	77 Otis Street, San Francisco	IHSS	Chinese, Russian, Spanish, Vietnamese, Tagalog
San Francisco County Human Services Agency	170 Otis Street, San Francisco	CalWORKs	Spanish
San Francisco County Human Services Agency	1235 Mission Street, San Francisco	CalFresh	Chinese, Cantonese, Spanish
San Francisco County Human Services Agency	3801 Third Street, San Francisco	Children Family Services (FM, FR)	None

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the **2013** Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocate groups. In this review the following organization(s) were contacted for feedback. The following persons responded to our request:

Amy P. Lee
 Bay Area Legal Aid (BALA)
 1035 Market Street, 6th Floor
 San Francisco, CA 94103
 PH: 415.982.1300 x6369
ALee@baylegal.org

Ruthie Gordon
 Bay Area Legal Aid (BALA)
 1035 Market St. 6th Floor
 San Francisco, CA 94103
 (415) 557-5907
RGordon@baylegal.org

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	10	6
Children Social Workers	5	2
Adult Program Workers	5	5
Receptionist/Screeners	2	1
Total	22	14

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

Reviewed Case Files

English speakers' case files reviewed	11
Non-English or limited-English speakers' case files reviewed	73
Languages of clients' cases	Russian, Cantonese, Spanish, Chinese-Mandarin, Thai, Vietnamese, Tagalog
CalFresh Fraud Cases	7
Languages of clients' cases	Spanish, Chinese-Mandarin, Japanese

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX summarizes findings from discussions with community organizations, including advocate groups.

Section X reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section XI of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			<p>With prior supervisor approval, workers can schedule a telephone appointment as early as 7:00 am.</p> <p>Clients can submit their applications by mail or online via www.mybenefitscalwin.org.</p>
Does the county have extended hours to accommodate clients?		X		With the exception of Children Family Services, workers often conduct home visits and will meet with clients based on their availability and preferred location.
Can applicants access services when they cannot go to the office?	X			Clients can obtain county information by accessing the county website; calling the service center; or by requesting a home visit.
Does the county ensure the awareness of available services for individuals in remote areas?	X			Out stationed offices are located throughout the county, staff will set up an informational booth at local farmers markets or community events, and via commercials on tv and radio informing the public of available services in the county.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	X			The PUB 13 pamphlet is included as part of the application packet.
Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Clients are provided with the pamphlet during initial contact/intake and during their annual re-certification. Workers briefly explain the PUB 13 to the clients.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukranian, and Vietnamese?	X			All of the offices reviewed had the current printed versions of the PUB 13 located in the lobby, available and accessible to clients.
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?		X		The PUB 13 was properly displayed in all the languages currently available.
Was the Pub 13 available in large print (English and Spanish), audiocassette and Braille?	X			Reception staff keep the large print, Braille and audio PUB 13's at their desk.
Were the current versions of the required posters present in the lobbies?	X			All offices reviewed had the required posters in the lobby.
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			All staff interviewed were able to identify Luenna Kim as the Civil Rights Coordinator.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			

B. Corrective Actions

None

C. Recommendation

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	06/11
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website;

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

1. Facility Location: 77 Otis Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Outside Signage	Building not easily identified.	Signs shall indicate the direction to accessible building entrances and facilities. (CA T24 1117B.3) p 191, 400

a. Recommendation/Corrective Action

There are no client interview rooms at this office location. Staff will escort clients to an area behind reception where there are several desks set-up. There were two areas of concern.

1. The lack of privacy. It is recommended that privacy panels be installed in order to safeguard client confidentiality when discussing his/her case.
2. The designated, adjustable ergonomic desk located in the corner shall always have the settings adjusted with a minimum seating knee space of 27" high (CA T241122B.3) (ADA 4.32.3) p 394. San Francisco County Human Services Agency shall ensure that staff be informed of this requirement.

2. Facility Location: 170 Otis Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Restroom	<p>Women's</p> <p>Accessible toilet is low at 15" high.</p> <p>Grab bars are low at 32 ¼" high.</p>	<p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.4.1.4, ADA 4.16.3) p 312</p> <p>The height of grab bar is 33" above and parallel to floor except that where a tank-type toilet used obstructs the 33" placement, the</p>

	<p>Sign on the wall is high at 64".</p> <p>Men's</p>	<p>grab bar may be as high at 36". Grab bar is securely attached. (CA T24 1115B.4.1.3.3) (CA T24 1115 B.7.1, ADA 4.26.2) p 302</p> <p>Women's sanitary facilities shall be identified by a circle 1/4" thick and 12" in diameter. (CA T24 1115B.6.2) p286</p> <p>Unisex sanitary facilities shall be identified by a circle 1/4" thick, and 12" in diameter with a 1/4" thick triangle superimposed on the circle within the 12" diameter. (CA T24 1115B.6.3) p 286 .</p> <p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p 287</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p 287</p> <p>Pictorial symbol signs shall be accompanied by verbal description placed directly below the pictogram. Minimum outside dimension height of pictogram shall be 6". (CA T24 1117B.5.5.3) (ADA 4.30.4) p 287</p>
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	<p>Accessible toilet is low at 15" high.</p> <p>Grab bars are low at 32 ¼" high.</p>	<p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.4.1.4, ADA 4.16.3) p 312</p> <p>The height of grab bar is 33" above and parallel to floor except that where a tank-type toilet used obstructs the 33" placement, the grab bar may be as high at 36". Grab bar is securely attached. (CA T24 1115B.4.1.3.3) (CA T24 1115 B.7.1, ADA 4.26.2) p 302</p>
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a. Recommendation

None

3. Facility Location: 1235 Mission Street, San Francisco

Facility Element	Findings	Corrective Action
Parking	Street metered parking only. No county designated parking.	N/A
Exterior entrance	Directional signage at main entrance does not clearly indicate the direction to the accessible entrance around the corner.	Signs shall indicate the direction to accessible building entrances and facilities. (CA T24 1117B.3) p 191, 400
Client lobby	The accessible counter is low at 27 ½".	Min. height is 28" and max height is 34" from floor or ground top of tables or counters. (CA T24 1122B.4) (ADA 4.32.4) p 396
Telephone	The wall mounted phones are not equipped with push button controls.	Telephone shall have push button controls, where service for such equipment is available. (CA T24 1117B.2.10, ADA 4.31.6) p 273
Restroom	<p>Men's</p> <p>Accessible urinal is high at 24".</p>	Rim height shall be a maximum of 17" in height above the floor. (CA T24 1115B.4.2.1) p 290

	<p>Toilet seat protectors are high at 44".</p> <p>Toilet tissue dispenser is far and located within 29".</p> <p>Women's</p> <p>The accessible stall is not in working condition. See Exhibit A below.</p>	<p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.1.1) (ADA 4.19.6) p 296, 299, 304</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p> <p>Clear space in front of water closet is a minimum of 48" if the compartment has end opening (facing water closet) or minimum of 60" if compartment has side opening. (CA T24 1115B.3.2) (ADA 4.17.3) p 327</p> <p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.4.1.4, ADA 4.16.3) p 312</p> <p>The height of grab bar is 33" above and parallel to floor except that where a tank-type toilet used obstructs the 33" placement, the grab bar may be as high at 36". Grab bar is securely attached. (CA T24 1115B.4.1.3(3.1) (CA T24 1115 B.4.1.3.3.2) p 302</p> <p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.8.4) p 299, 305</p> <p>Toilet paper dispenser minimum</p>
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		<p>height from floor is 19". (CA T24 1115B.8.4, ADA 4.16.6) pp 295, 301</p> <p>Dispensers that control delivery or that does not permit continuous paper flow are not used. (CA T24 1115B.8.4, ADA 4.16.6) p 299, 305</p> <p>Controls are operable with one hand, and do not require tight grasping, pinching or twisting of the wrist. Maximum 5 lbs. pressure. (CA T24 1115B.2.2) (ADA 4.18.4) p 291</p>
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a. Corrective Action

Exhibit A



The accessible stall in the women's restroom was not in working condition. When available, public restrooms shall have an accessible stall in working conditions.

		<p>T24 1117B.5.7) (ADA 4.30.6) p 287</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1) (ADA 4.30.4) p 287</p> <p>Pictorial symbol signs shall be accompanied by verbal description placed directly below the pictogram. Minimum outside dimension height of pictogram shall be 6". (CA T24 1117B.5.5.3) (ADA 4.30.4) p 287</p>
	<p>Soap dispenser is high at 45".</p> <p>First Floor Men's</p> <p>Sign on door high at 65".</p> <p>First Floor Women's</p> <p>Sign on door high at 63".</p>	<p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA T24 1115B.8.3, ADA 4.23.7) p 304</p> <p>Doorways leading to men's sanitary facilities shall be identified by an equilateral triangle 1/4" thick with edges 12" long and a vertex pointing upward. (CA T24 1115B.6.1) p286</p> <p>Geometric symbols shall be centered on the door at a height of 60" above the finished floor or ground surface measured to the center of the symbol. (CA T24 1115B.6) p 286</p> <p>Door sign and wall sign shall be 60" above the floor to the center line of sign.</p>

a. Recommendation

None

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Language need is identified by clerical staff and documented in CalWIN. Case workers will review CalWIN, or in Family Children's Services will review the Transfer Summary Face Sheet, prior to meeting with clients and

Question	Yes	No	Some-times	Comments
				will verify language need during their initial contact.
Does the county use a primary language form?	X			All programs reviewed use the Language Needs Assessment Form, 8072.
Does the client self-declare on this form?	X			Clients self-declare their language preference for both written and oral communication and the need for an interpreter.
Are non-English- or limited- English-speaking clients provided bilingual services?	X			San Francisco County has certified bilingual staff and bilingual units in the 5% threshold languages; Spanish, Russian, Chinese, Cantonese, Vietnamese and Tagalog.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			Once it is determined that the client is non- or limited English speaking, their case is assigned to one of the bilingual units. If no bilingual unit is available, staff can request interpretive services be provided by bilingual staff via a county interpreter list.
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			San Francisco County has an over-the-phone interpretive services contract with Language Line. A county interpreter list is also available.
Are county interpreters determined to be competent?	X			Staff is certified through the Civil Service process by the Human Services Agency Examinations Unit.
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		Only in an emergency situation will a worker allow a minor to be used as an interpreter.

Question	Yes	No	Some-times	Comments
Does the county allow the client to provide his or her own interpreter?	X			Clients may provide their own interpreter, although the County highly encourages that they use a certified bilingual staff, free of cost, to avoid potential miscommunication.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			San Francisco County has contracts with International Effectiveness Center (IEC) and Interpreting and Consulting Services for clients who need an ASL interpreter. Staff will also offer to read materials/forms out loud and offer to assist in filling out forms. If requested and preferred by the client, staff will also communicate by writing back and forth. This is documented in case comments.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?			X	Current practice is for clients to fill out and self-disclose their disability and need for accommodation on the OCR II Form, Invitation to Disclose.
Does the county offer screening for learning disabilities?			X	San Francisco County has an ADA social worker who will meet with clients and review the OCR II Form to help identify a need for an accommodation.

Question	Yes	No	Some-times	Comments
				After review, the ADA social worker will develop an accommodation plan.
Is there an established process for offering screening?	X			All clients who identify a disability are referred to see an ADA social worker.
Is the client identified as having a learning disability referred for evaluation?	X			Clients will be referred to an Employment Specialist for further assessment.

B. Corrective Action

It was identified in one of the program manager survey's that non-certified staff who can speak but not read a language are used as interpreters when certified bilingual staff are unavailable. As stated in Division 21-115.1 "A sufficient number of qualified bilingual employees shall be assigned to public contact positions in each program and/or location serving a substantial number of non-English-speaking persons. These employees shall have the language skills and cultural awareness necessary to communicate fully and effectively and provide the same level of service to non-English speaking applicants/recipients as is provided to the client population at large." San Francisco County shall inform staff of the availability of Language Line, which can be used as an alternative to qualified bilingual staff, when unavailable, to ensure that bilingual interpretive services are provided.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs (IHSS)	CalWORKs	Non-Assistance CalFresh	CalFresh Fraud
Ethnic origin documentation	IN-ERR, Referral Face Sheet	CMIPS Person Page	CalWIN Individual Details	CalWIN Individual Details	CalWIN Individual Details
Primary language documentation	IN-ERR, Referral Face Sheet,	CMIPS Person Page	CalWIN Client Case Details	CalWIN Case Info	Form 8072

Documented Item	Children's Services	Adult Programs (IHSS)	CalWORKs	Non-Assistance CalFresh	CalFresh Fraud
	Transfer Summary				
Method of providing bilingual services and documentation	Assessment Narrative	Assessment Narrative	CalWIN Case Comments	CalWIN Case Comments	CalWIN Case Comments
Client provided own interpreter	None found in cases reviewed	Assessment Narrative	CalWIN Case Comments	None found in cases reviewed	None found in cases reviewed
Method to inform client of potential problem using own interpreter	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed
Release of information to Interpreter	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed
Individual's acceptance or refusal of written material offered in primary language	Form 8072	Form 8072	Form 8072	Form 8072	Form 8072
Documentation of minor used as interpreter	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed
Documentation of circumstances for using minor interpreter temporarily	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed	None found in cases reviewed
Translated notice of actions (NOA) contain translated inserts	Case File	CMIPS	CalWIN Case Comments	CalWIN Case Comments	Case File
Method of identifying client's disability	Assessment Narrative, IN-ERR	CMIPS-Service Evidence Form	CalWIN Client Case Details and Case Special Indicators	CalWIN Special Case Indicator	None found in cases reviewed

Documented Item	Children's Services	Adult Programs (IHSS)	CalWORKs	Non-Assistance CalFresh	CalFresh Fraud
Method of documenting a client's request for auxiliary aids and services	Assessment Narrative	Assessment Narrative	CalWIN Case Comments	None found in cases reviewed	None found in cases reviewed

A. Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	San Francisco County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

B. Additional Findings

During the case file review for the CalFresh program at 1235 Mission Street, San Francisco, this office location was found to be non-compliant with the requirements of Division 21-116.3, as stated "upon obtaining information that identifies an applicant/recipient as disabled, each CWD shall ensure that the case record is so documented. The CWD shall document, in writing, an applicant's/recipient's request for auxiliary aids and services." Workers fail to document the client's request for an accommodation. There was no documentation in CalWIN regarding the client's accommodation plan after the client self-disclosed to the ADA social worker that they had a need for an accommodation. Current practice is for clients to get referred to

speak to an ADA social worker if they identify any disability and need for accommodation on the OCR II. There was a lack of, or no communication, identified between the ADA social worker and case worker. The client's accommodation plan is only kept with the ADA social worker and not entered into CalWIN. Furthermore, the notes reviewed from the ADA social worker only pertained to a client's single office visit. There was no documentation regarding the duration or need for an accommodation during future contacts or office visits.

C. Corrective Action

As identified by BALA, and confirmed during the site review, workers are not consistently reviewing the OCR II form with clients. The client is normally referred to speak to the ADA social worker who will then conduct a mini assessment and provide the requested accommodation. The lack of the social worker reviewing the form and the lack of communication between the ADA worker and case worker leads to a failure in providing an accommodation to the client. As stated in Division 21-115.42 "CWDs shall provide an opportunity for individuals with disabilities to request auxiliary aids and services of their choice. CWDs shall give primary consideration to the requests of individuals with disabilities." San Francisco County shall ensure that both ADA social workers and case workers document in CalWIN, in such a way that workers are able to easily identify whether or not the client needs an accommodation during their office visit or during any substantive/significant contact.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?			X	Of the 22 staff interviewed, five were unaware of continued Division 21 training and had only been provided this training since their initial hire.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All staff interviewed were aware of the county's policy regarding clients rights and procedure to file a complaint.

Does the county provide employees Cultural Awareness Training?			X	Of the 22 staff interviewed, three had not had any cultural awareness training.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?			X	There was one children's social worker who was unfamiliar with MEPA and the requirements.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	San Francisco County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1
Cultural Awareness Training	San Francisco County shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff has an understanding of and sensitivity to the various cultural groups in the county's population. Div. 21-117.2
MEPA Training for Children's Social Workers	San Francisco County shall ensure that CSW's receive MEPA training to ensure that public contact staff has knowledge of, and properly apply the placement prohibitions contained in MEPA. 42 U.S.C. 672, 674, and 1996(b)

C. Recommendation

None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?			X	Of the 22 staff interviewed, five were unable to clearly identify the difference between a discrimination, program and personnel complaint.
Did the employees know who the Civil Rights Coordinator is?	X			All staff interviewed were able to identify Luenna Kim as the Civil Rights Coordinator.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?		X		The county was unable to provide their log for review. It has been requested and is still pending submittal.

B. Corrective Action

Element	Corrective Action
Discrimination Process	San Francisco County shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Complaint Log	San Francisco County shall maintain a control log in which all complaints of discrimination are entered by year and date the complaint was received. Div. 21-203

C. Recommendation

None

IX. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. A tele-conference was held on 2/04/2014 with Amy P. Lee and Ruthie Gordon, of Bay Area Legal Aid. They provided the following observations and identified issues, which are similar to issues identified during the 2012 Compliance Review that the county management team can address to improve their operations from a civil rights perspective.

A. Major observations include:

1. Language Access

Limited English Proficient clients who speak the less common languages, such as Tigrinya and Arabic, are not being provided with timely interpretive services. There are delays in obtaining an interpreter when bilingual staff is unavailable in the language spoken, primarily in the CalFresh program. There are also similar situations in the CalWORKs program, although a lot less due to communication between advocates and management meeting regularly to discuss issues around the need of interpretive services. There is a lack of consistency with county policies and procedures.

2. Learning Disabilities

One of the issues identified in the CalWORKs program for clients who have a disability is the lack of the County to provide quality accommodation. Clients are provided with the OCR II form, which is only an invitation for the client to self-disclose the need for an accommodation, and is not considered a learning disability tool. Clients fill out this form but are not being provided a reasonable accommodation due to the workers not reviewing the form with the client and failing to create an accommodation plan. Focus is mainly on how to accommodate someone who has a physical disability. The problem is that clients who have an invisible disability are not being provided with assistance. They slip through the cracks because they often do not understand the forms they are filling out and do not know how they will be accommodated based on their disability.

B. Corrective Actions Taken By The County

In an effort to help streamline county policy and procedures surrounding program accessibility, San Francisco County has hired a consultant to review and revise current practices.

C. Finding

It was noted during the site review that San Francisco County Human Services Agency is, without a doubt, making an attempt to correct issues surrounding language access and reasonable accommodations. They have recently hired an additional bilingual ADA social worker and anticipate hiring two more bilingual ADA workers in the upcoming months, for a total of four bilingual ADA social workers in the county. The partnership with Jane Kow, consultant currently working on revising the county's policies and procedures, also shows that San Francisco is willing to work closely with community groups to ensure that the County is compliant with current requirements.

X. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Francisco County Human Services Agency, Civil Rights Compliance Plan, for the period of January 1, 2013 through December 31, 2013, has been provisionally approved as submitted.

XI. CONCLUSION

The CDSS reviewer found the San Francisco County Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Luenna Kim, Civil Rights Coordinator, and David Tu, Personnel Analyst, for organizing the details of the review. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the San Francisco County Human Services Agency in satisfactory compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The San Francisco County Human Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.